

**TOWN BOARD
SPECIAL MEETING**

TUESDAY

May 17, 2022

Supervisor Zupan opened the meeting at 7:00 p.m. with two Councilors present. Councilors Golub, Reger and Johnson were not present. At 7:02 p.m., Councilor Johnson arrived.

Proper notification of the meeting took place and further a quorum was present for the purposes of this meeting.

Supervisor Zupan expressed to the audience this meeting is a listening session for the residents and the Town Board. First, he wanted the Town to present the drainage issues, condition of the road and ponding on the road. John Dunkle, Engineer for the Town, will present and then the Town Board will entertain all the comments on different solutions or other options the residents want the Town Board to consider. He clearly indicated he wanted the conversation to stay civil.

John Dunkle, Engineer for the Town, started his presentation by informing the public this is a “work in progress” and the meeting tonight is to outline the current status and what needs to be done. These were the details of his presentation:

Historically, Ridge Road at Jephson Estates was 72 acres and there was a small parcel down on Cazenovia Lake. Half of the land was between Ridge Road and East Lake and the other was east of Ridge Road. He displayed a historical map before the property was subdivided and then an aerial map in its present state. It was subdivided into a total of 19 lots. 15 lots are between East Lake and Ridge Roads. Four lots are on the east side of Ridge Road. All of the lots have been developed except for two, one being on East Lake and the other on Ridge Road. The stretch of road that is being discussed is 1,400 feet of Ridge Road. He mentioned Hillcrest Estates has historic preservation and nothing else has received historic designation. They wanted to make the property unique when they built the Jephson Estate on Ridge Road and define the estate. They built a narrow road with curbing which has persevered until present day. He mentioned within the Town of Cazenovia’s 60 miles of roadways, this quarter mile is the only spot with curbs in the whole town. He made clear it wasn’t the typical road section in the town. The curbing has existed for over 100 years, but now is falling apart. It is poured-in-place concrete curbing, not stone. The pavement has been repaved many times and is still cracking. The road is 22-23’ wide, very narrow with no shoulders or sidewalks. From the town’s perspective, in maintaining the road, the snowplows can barely fit down this 22’ road and a car can certainly not pass them when they are plowing. Additionally, there is a safety perspective for pedestrians

with no shoulders. The storm sewers between the curbs that capture the drainage are in need of repair, the grates are collapsing and falling into the pavement. The catch basin grates have all been popped along Ridge Road and it is difficult to tell where the pipes go. The bricks are falling in and need repair. Additionally, the poor condition makes them have limited capacity. When it rains and the drainage tries to get into the catch basins, it does for a while and once it reaches a certain threshold there is no capacity left. There is no place to go except for in the road. He displayed a slide that showed the existing drainage and described what they are aware of on the Jephson Estate. He said there is approximately 29 acres of drainage that flows into the street and there is additional drainage that comes from the north to the low point which is right in front of Curtis' driveway. All the drainage flows into Ridge Road and when the stormwater capacity is exceeded it all goes to the low point and flows down Curtis' driveway. The old stormwater system does provide some opportunities for the stormwater to be intercepted and sent down to the old estate. The estate is covered with old drain tiles and pipes. He said two of the catch basins start on Ridge Road and flow downhill on private property, but it hasn't been determined where they go. Toward the low point, between Curtis' and Osborne's, there is a 12" storm sewer that basically splits the property line and angles to the north property on East Lake Road to the culvert on East Lake Road and then to the Lake. He said they know that is existing.

Jana McDonald *said it is McDonald on the east side and crosses over to Curtis and then down to Gunerman.*

John Dunkle said they know there is another storm pipe on the Curtis property that joins the one that was just described which comes together and flows down. He displayed a couple other drainage pipes and it has not been determined where they drain. He responded to a question and said he is just reviewing general flow patterns at this point. Moving along in his presentation, he displayed the nine catch basins that are in place on Ridge Road and pointed out the ones that the flow patterns are known. He explained part of the difficulty is there is only a drainage easement through the Curtis and Gunerman properties.

Jana McDonald *held up a document to John Dunkle in which she felt there was an easement and was an exception in her title policy.*

John Dunkle described more of the storm sewers that are part of the network on the Jephson Estate. He displayed a photo in front of Kevin Curtis' taken in the early 2000's that showed pooling in the road. This shows there is an issue with capacity of the storm sewer system in the street.

He moved his presentation along to what is being proposed to remediate. There would be re-profiling of Ridge Road to eliminate the curbing and create a storm sewer system along the east side of the edge of pavement with a series of seven new catch basins and a shallow swale that will collect the runoff from the east. The new drainage system will provide two relief points and will be designed for a 10-year storm which is a typical storm sewer design. The flood route will be along the east side of Ridge Road and will still go down Curtis' property. They are going to try to minimize the number of times the flood route gets utilized. He displayed the new cross section of the road which involved removing the curbing and the catch basins. The road will be raised in the center by at least 1' from where it is today. By doing this, it will create a low point on the east side of Ridge Road which will create a flood route with a very shallow swale, no

more than 6” in depth. The catch basins will be placed in the center of the swale. The storm sewer system will be placed under the pavement because of the location of the gas line. The catch basins will be offset 3’ and 4’. He displayed a photo simulation of present day Ridge Road looking north and what it will look like. 20’ pavement with 3’ grass shoulders with catch basins and a shallow swale. Grass right up to the edge of the pavement, the shoulders will be reinforced with grass underneath. He further explained the new cross section is like any other road in the Town of Cazenovia and the other parts of Ridge Road. He also displayed a picture of Wellington that was a standard road section with no curbs. He said this will also allow a snowplow to plow the shoulder and for vehicles to drive off the road if they need to.

He answered a question about the curbing and if it was historical and had historical protection. He said he reached out to SHPO and they sent a response. He displayed the letter and read from it, stating it was SHPO’s opinion that the project as described will have no adverse impact on historical or cultural resources with the condition of the existing tree avenue. The sugar maples are historic and cannot be disturbed, but the curbing is not. He said the project will not touch the trees, they won’t even do as much as scrap the roots. The trees create a nice avenue. In 2020, he did a preliminary cost of the project described and there are most likely significant increases since that time. The estimate is around \$ 400,000.00 to do the reconstruction of the pavement, catch basins and storm sewers and there is a \$ 65,000 contingency to investigate storm sewers and do other things that might need to be done. This was done because the Town made a grant application for this project and was successful for getting a grant for half of the project-roughly \$ 200,000. The other \$ 200,000 will come from the town.

John Dunkle said a request was made to consider reconstruction of the curbs. The curbs are falling apart and are too narrow. It is estimated the cost would be \$ 50.00 - \$ 55.00 a foot to replace the concrete curbing that is in place. There is 2800’ of curbing which would cost \$ 140,000 - \$ 155,000. If granite curbing was used, it would be \$ 170,000 - \$ 180,000. Additionally, more catch basins would have to be installed because “a channel” has been re-created. An additional six catch basins are required and need to be designed to handle vehicle loading which will cost about another \$ 50,000.00. The pavement has to be widened and it needs to be at least 25’ wide. The new pavement would be another \$ 40,000 - \$ 50,000 and miscellaneous costs would be another \$ 10,000 - \$ 20,000. It would be \$ 230,000 - \$ 300,000 more to replace the curbing and these costs would be bid costs including prevailing wages.

Rob Arnold inquired if there would be state funding?

John Dunkle said this is totally independent of the funding and the \$ 230,000 - \$ 300,000 is the total curbing cost. He responded to Mr. Arnold’s other question and said the grates are needed in the road and in the grass if the curbing is kept. He added this is a preliminary plan and there could be less grates.

John Dunkle said in the non-curbing plan, there will be 20’ pavement with 3’ shoulders. He said with the curbing option, they have to build a full pavement cross section and more asphalt. The pavement will actually be reduced to 20’ from 23’ with the new section but there will be 3’ shoulders on each side. Currently, research is being done to see if there are properties in an existing drainage district. There is evidence a district was formed for properties between East Lake Road and Ridge Road, 15 lots. It is yet to be determined if the four lots on the east side

were ever added. This will provide the town a mechanism to have the folks contribute to the costs, especially if it is beyond the scope of the original proposal.

J. Dunkle said going forward the town needs to investigate the storm sewers that go down through East Lake Road to check the capacity and condition. If repairs are required, they need to be able to do them. If easements are required, the town will get them. The drainage needs to be fixed first and the road design will come later.

Hugh Roszel asked about the deep ditch that is in front of his house and the next yard and wondered if it would be filled-in.

J. Dunkle said no it would be graded to drain better and the the driveway culvert will be lowered.

Kevin Curtis inquired about the cost of maintaining existing drainage pipes going west down the hill from the road. The miscellaneous other pipes that might supplement the catch basins; are the residents responsible for fixing the pipes if damaged?

J. Dunkle said yes, if they go from property to property and don't convey town drainage. The pipe system that does convey town drainage, the town would be obligated.

K. Curtis said if a district is voted on for curbs, how is it apportioned between properties? If someone has 5' of curbs, will they pay the same as someone with 100' of curbing?

Supervisor Zupan said it will either be a unit charge based on the number of lots or ad valorem.

J. Langey stated he has to research this further about curbing being part of a drainage district.

Rocco Galasso presented a slide showing the reason they want to preserve the curbs. Scott Dilligham helped develop the presentation along with Rob Arnold. A variety of photos were displayed showing conditions on rainy days and sunny days after a storm in areas where the curbs are and aren't present. It's their position, standing water can lead to diseases and algae growth, possibly blue green algae. Curbing is a plus and not a negative. Curbs help delineate people's lawns, prevent degradation of asphalt and provide protection to pedestrians. He presented a slide that indicated people tend to slow down when the road is narrower. Curbs add value to their properties and are historic. [The presentation is on file in the Office of the Town Clerk].

Supervisor Zupan opened up the meeting to questions and comments.

Rob Arnold said not being residents of the neighborhood, you may not have complete infinite knowledge of what happens when it rains or where the water flows. He explained some of the drainage patterns that he was certain of the route.

Supervisor Zupan said the Town Board wants to do a study on where the lines are going because it is old clay tiles from years ago. They are unaware if it has collapsed or half full of debris. They want to do a study on at least the two on the north end of Ridge Road, the one that runs down passed Kevin's house and the one that runs between McDonald's house and the Jephson

Estate. They will probably be tv'd to see what kind of shape they are in and if they have to be replaced. If they are part of the drainage district that was set-up, they will look at that avenue. They need to do a study on the amount of water for a 10-year storm for 29 acres that comes down and effects the drainage for a 10-year storm.

Rob Arnold *questioned the flow of the drainage and explained what he witnesses during a rain event. He expressed his discomfort for a solution that would work with a 10-year storm. He felt it was dangerous to put a lot of money into something that will only likely be an issue once every 10 years.*

John Dunkle said that is the standard design throughout the country for storm sewer systems. He said it is not practical to design for a 100-year storm, one hundred year storms are deadly.

Kevin Curtis *opined the water is flowing from the south side.*

Linda Osborne *said they have the most property that slopes down with a big incline. She was concerned with huge ponds of water because the drainage will not take all the water in. She was interested in the recourse when she has a muddy mess.*

John Dunkle said he is not going to guarantee there won't be puddles.

Linda Osborne said she has lived there for 10 years and hasn't had them.

John Dunkle said the intent is to raise the road to get positive drainage. He said if the town creates a problem on her property, it is on the town.

Rob Arnold *said Mr. Gabor lives on the corner of Wright Road with no curb. He drove by the other day and he had a river going down his driveway. Mr. Gabor told him whenever it rains he gets puddles in his garage.*

Supervisor Zupan asked the audience if they were in favor of the curbs being put back.

The majority of the audience said "yes."

Supervisor Zupan asked if they were willing to pay for them? He said the town has a limited amount of money to put into this project. They are trying to solve a drainage problem because it can be dangerous for vehicle traffic up and down Ridge Road at the right time of the year. The Town is putting in at least \$ 400,000 and the Town can't afford another 300-350K for curbing. If the people that live in that section of Jephson want curbs and are willing to pay for it over 30 years, it is something the town will look at.

Rob Arnold *felt curb appeal was added into the assessed value of properties.*

Supervisor Zupan disagreed. He mentioned he asked the assessor if the curbs being removed, would devalue properties and he said no. The curbs do not add value to the property.

Rob Arnold *disagreed and said to ask a realtor.*

John Langey said a realtor is not an expert, an appraiser would need to be asked.

Linda Osborne said she has a preservation easement and Cazenovia Preservation Foundation was concerned with the land and if a mess is created.

Councilor Race said 7,000 live in this community and the only people in this room are the ones that have curbs. The curbs present numerous problems. Complaints have been received from the fire department because a car can't be passed safely and public safety cannot be impacted.

Rob Arnold said put the curbs back in.

Councilor Race said if the curbs are wanted, it can be done. But, not at the town's expense. He is not going to do it at the other estimated 6,895 people. Everybody in the town of Cazenovia shouldn't pay because something different is wanted in this neighborhood.

Jana McDonald asked a hypothetical question. If the easement that goes between the Jephson Estate and McDonald property is in sufficient condition and has adequate capacity or is brought to sufficient condition to handle stormwater, could the curbs stay as they are if more of the stormwater was directed into the pipe?

Councilor Race said the road is too narrow to be curbed. The snow plow has an 11' front plow and 14' wing on an angle. A minimum of a 14 or 15' footprint is necessary in order to stay out of the other lane as it is going down the road. When the road is plowed in that area and the snowplow driver meets someone, they stop, pull over and flip their wing-there is not enough room.

John Dunkle said the drainage is independent of what they do in the road. The storm system has to be brought up to capacity.

Chary Griffin said she does not live on Ridge Road but the last 25 years she has biked on Ridge Road. She has had two major accidents and literally fell through the earth in the winter. She was on the north side and the drainage underneath gave way and she fell up to her thighs into the earth. Last summer, she had a \$ 20,000 medical bill, the drainage was far beneath the road. She mentioned cars are important, but what about bicyclists, it is terrible now. The road is too narrow for construction trucks that use it regularly and cars. A wider road is needed for bicyclists and families to walk because it is narrow and antiquated.

Katherine Ames asked for the people conducting the meeting to identify themselves.

Kevin Curtis felt the Town Board was characterizing the neighborhood as being unified on the curbs. If there was a drainage district that included all the properties on the Jephson Estate including the ones on East Lake Road, they might not be happy to finance curbs.

Rob Arnold had an issue with the sod being removed with the snowplow and the time and effort it would take to repair.

Linda Osborne said if she has ponding she wants to know the recourse. She would like it in writing it is going to get fixed.

Supervisor Zupan said it is a four-rod road, 66' right-of-way. When the road is rebuilt, they will be responsible for 33' out from the center line of the property.

Rob Arnold *wanted to know the instrument that documented the right-of-way width.*

Connie Sunderman, Town Clerk, said this information is part of the certification of highway miles from Madison County Highway Dept.

Anthony Castimatides *said the information is in the “zoning book” regarding property lines and center lines.*

John Langey redirected the conversation and asked that it be addressed to the Town Board.

Supervisor Zupan said the new road standard is a 60' right-of-way, but this happens to be an old road and has a 66' right-of-way. Any new road in the town now has a 60' right-of-way.

Rob Arnold *said from his work experience, the instrument that is filed in the Clerk's Office is the document that matters. He would like to know where this information is.*

Kevin Curtis *thanked the Town Board for coordinating this meeting tonight. All of the people live on 4+ acre lots and have lots of space. The lots are big and beautiful. He reflected on the issues in the world [referring to Ukraine, Russia and around the world] and this is such a small thing. He appreciates the Town's effort.*

Supervisor Zupan said from the town's point-of-view more research will be done on the drainage lines.

Brian Osborne *said there is a drainage line on the south side of the Jephson Estate driveway, on the south lawn between the Jephson Estate.*

John Dunkle said that is the one they are unsure of where it goes.

Brian Osborne *said there is a catch basin in the middle of the lawn. When you go down the hill to the brush piles, there is another one down there. He assumes they are connected because they are almost in line with each other. He suggested it gets cameraed because he thinks water is still running through it.*

John Dunkle asked the folks that live on the west side, if he could come out when they are present.

The neighbors appeared to welcome John Dunkle to come to their properties and explore the drainage further.

John Dunkle admitted to the residents that they know best the situation in their neighborhood. He expressed he wants to learn from the neighborhood and go there when it rains. He appreciates the photos he has been receiving.

John Dunkle responded to a question regarding the scope of the project and confirmed nothing would be done north of the Jephson Estate.

R. Galasso wondered if there was a possibility of saving the curbs?

Supervisor Zupan said more research needs to be done. He further explained to rebuild the catch basins and put in pipe, the curbs will probably be destroyed. It is necessary to stay close to the road because the trees are protected. They can't be outside the curbs to put a drain line in place.

John Dunkle said the drainage issue is independent of the curbs. More research will be done on the drainage part-the best place to intercept the drainage, where it is coming from and getting it safely off the hill.

John Dunkle said it will be 26' wide from shoulder to shoulder and curb to curb would be 25'. It will be widened by 3' no matter the outcome.

Supervisor Zupan said it will be 20' of blacktop.

John Dunkle responded to a question about driveway disturbance and said some driveways would have to be regraded. Catch basins will be on each side of the driveway. He said once a design is completed and a determination has been made about the curbs, there should probably be a meeting in which the road is walked with the residents so it can be explained what is being done at each driveway.

Supervisor Zupan suggested the residents go to the Wellington subdivision and see a development without curbs.

Rob Arnold explained what he felt happens when there is no curbing and the clean up that will be required in the spring.

John Langey said that is the same as everywhere else in the town.

K. Ames asked for confirmation that the utility marked out that was from Wright Road to Hoffman was just overdone.

John Dunkle confirmed. He responded to her question about the profile of the road and said it will be tied in on each end by milling the road and going beyond and tapering. It will be a very gradual taper. The asphalt will be probably extend 30'-40' on each side. He said there will not be a big bump.

Mrs. Ames inquired about the catch basins on the side of the road versus the ones in the road and the weight-bearing levels.

Councilor Race explained the difference in the catch basins and that they are required to be H20 load if they are in the road.

Judson Ames was opposed to widening the road and the concept that a wider road is safer is false, based on data.

Councilor Race said the road is not going to be widened, the curbs will widen it if the residents want them.

John Dunkle and Councilor Race confirmed the asphalt is not going to get wider. They said it is actually getting narrower with a shoulder and there will be no curb.

Councilor Race said there will be grass to the road. He said what is there now cannot be for much longer.

Supervisor Zupan said from his experience of living in the country, when the sod is peeled up from the plow, do not put it back down.

K. Ames *inquired if John Dunkle was the one developing the plan?*

John Dunkle confirmed and further acknowledged a hydrology study would be done. As of now, the drainage area has been delineated. The next step will be to do the hydrology to each of the proposed structures and then size the piping and swale to make sure it has the capacity and evaluate the pipes that go down the Jephson Estate to make sure they have the capacity.

K. Ames *wondered what the next step would be?*

John Dunkle said as the engineer, it is to do the hydrology and evaluate the existing pipes on the properties.

Supervisor Zupan said the town will be getting in contact with the residents if they think there is a drainage pipe going through their property. They will want to run a TV down the pipe to see where it comes out.

Linda Osborne *said her overextended drainage pipes are beyond their life limit.*

John Dunkle said if they are replaced, easements will be needed if it is on private property. He said some dye tests may be done. They will dump green dye down catch basins and see if it shows up on lawns or on East Lake Road.

John Langey asked everyone to put their contact information on the sign-in sheet.

John Dunkle said he will not make a decision on the curbs. He will be directed by the Town Board on how to finish that design. He will design either road section once that decision has been made.

Rob Arnold *asked why the cost isn't absorbed by all the taxpayers in the town. He wondered in this situation, taking out what is there and replacing it with new, why isn't that a shared expense.*

Supervisor Zupan said the town is absorbing the cost of the new road. The cost of the curb will not be absorbed.

John Langey said there are provisions of New York State Law that regulate this whole thing, there are drainage districts, drainage improvement districts or a curbing district. There are many options for the town and it is no different from water, sewer or lighting. Typically, in these

situations, they are funded by those that directly benefit. The drainage part will be utilized by town funds. The curbing does not necessarily benefit everyone in the town to have them restored. He additionally added the four people in front of the audience could not be better suited for this discussion. They are involved in building roads, designing roads and drainage.

***Kevin Curtis** wondered if the Town Board vote on their own to form a drainage district or does it have to be formed with a majority of the property values.*

John Langey answered it can be done either way under Article 12A.

***Rob Arnold** asked if there was already a drainage district.*

John Langey said there is evidence there is a district, but it has to be investigated.

A resident asked what if nothing is done.

Councilor Race stated it has outlived its effectiveness. He said they presented an option and a preliminary plan and the group can decide what they want to do. It will be done and needs to be done. An option has been presented to satisfy the neighbor's desires.

Supervisor Zupan said something has to be done because they have to get the water off the road on the north end of Ridge Road. When there is heavy water, it is bad. Cars can hydroplane or if it freezes up, cars could go off the road. This has to be cured.

***B. Osborne** inquired about the retention pond that was suggested a few years ago.*

Supervisor Zupan said that option is off the table.

John Dunkle responded to a question and said the drainage system design should not take long. Councilor Race said a design has to be done, a bid package and go out to bid. There is a good chance this won't happen in 2022.

John Dunkle said he would not be comfortable bidding right now with pricing.

Bryan Smith, Highway Superintendent, said some of the urgency is the structures themselves are failing and beyond repair, the pipes and laid-up brick have lasted significantly longer than anyone expected. He assumes when the structures were installed it probably wasn't much more than horse and buggy. Now, the road isn't built for that kind of weight or easel count, or volume. They have gotten calls about catch basins near driveways and holes. The structures are deteriorating under the road and there is a limited way to repair. Once they have been repaired multiple times, there are limited options to fix. He does not want to see these structures collapsing. The Highway Department repaired Ridge Road a while back and did not want to go any further than that line because it would have been absurd to put another layer of asphalt over a failing drainage structure under the road. They are to the point that something needs to happen. He said they are trying to find a solution friendly for the residents and cost-effective. He said the town is not trying to devalue properties or tear up lawns, but trying to find the most economical solution to everyone's problem.

Supervisor Zupan said there is a grant for this project.

John Dunkle said he would like to contact people on the west side and reach out to them to access their properties.

The Town Board asked for everyone to provide their contact information.

At 8:33 p.m., Supervisor Zupan thanked everyone for attending and the Town Board adjourned.

Signed: *Connie J. Sunderman*
Connie J. Sunderman, Town Clerk